

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

HOUSE FILE 2660

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$528.9 million from the General Fund and 6,344.5 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$6.6 million and an increase of 59.4 FTE positions compared to the estimated FY 2008 General Fund appropriations.
- Makes the following significant General Fund changes for FY 2009:
 - **Department of Justice:**
 - **Office of the Attorney General:** \$47,000 general reduction. (Page 1, Line 7)
 - **Children in Dissolution Proceedings Pilot Project:** \$50,000 decrease to eliminate the pilot project.
 - **Office of the Consumer Advocate:** \$16,000 general reduction. (Page 3, Line 4)
 - **Department of Corrections (DOC):** An increase of \$7.2 million and 55.4 FTE positions compared to the estimated FY 2008 General Fund appropriation. The change includes:
 - \$3.5 million increase for food, fuel, pharmacy, and contract cost increases. (Page 3, Line 24 through Page 5, Line 5 and Page 9, Line 15 through Page 10, Line 20)
 - \$444,000 increase to replace expired federal funds for a Drug Court and Dual Diagnosis Program in the First Community-Based Corrections (CBC) District Department and the Therapeutic Community Program at the Anamosa State Penitentiary. (Page 3, Line 28 and Page 9, Line 15)
 - \$250,000 and 5.0 FTE positions increase to add correctional officers at the Anamosa State Penitentiary. (Page 3, Line 28)
 - \$1.0 million and 12.0 FTE positions increase for the Sex Offender Treatment Program at the Mount Pleasant Correctional Facility and the Fifth CBC District Department. (Page 4, Line 16 and Page 9, Line 32)
 - \$232,000 decrease to the County Confinement appropriation to reflect actual FY 2007 expenditures for claims from counties for holding alleged violators. (Page 5, Line 6)
 - \$300,000 and 4.0 FTE positions increase to develop and implement offender re-entry programs in the First and Fifth CBC District Departments. (Page 9, Line 15 and Page 9, Line 32)
 - \$734,000 and 11.4 FTE positions increase for the Second CBC District Department for 26 additional beds in Fort Dodge. This amount represents a full year of operating costs. (Page 9, Line 23)
 - \$325,000 decrease to eliminate one-time costs in the Fifth and Sixth CBC District Departments. (Page 9, Line 32 and Page 10, Line 1)
 - \$1.5 million and 23.0 FTE positions increase for the Sixth CBC District Department to operate a mental health residential facility currently under construction. (Page 10, Line 1)

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STUDIES AND INTENT LANGUAGE

- **Department of Public Defense, Military Division:** \$93,000 for nine months of the State's 25.0% required match to receive federal funds for the Readiness Center at Camp Dodge. (Page 14, Line 28)
- **Department of Public Safety:** A decrease of \$377,000, including:
 - An increase of \$276,000 and 2.0 FTE positions for Public Safety Administration. (Page 15, Line 28)
 - A decrease of \$608,000 and 3.0 FTE positions in the Division of Criminal Investigation (DCI). (Page 15, Line 33)
 - An increase of \$662,000 and 12.0 FTE positions for the Fire Marshal's Office. This includes merging the Fire Service Training Bureau appropriation and FTE positions into the Fire Marshal's Office (a decrease of \$837,000). (Page 17, Line 21)
 - An increase of \$143,000 for the Iowa State Patrol. (Page 17, Line 32)
- States the intent of the General Assembly to appropriate \$1.0 million from the General Fund in FY 2010 for Victims Assistance Grants. (Page 1, Line 27)
- Requires the Attorney General to use at least \$850,000 in forfeited property receipts for Victim Assistance Grants. (Page 2, Line 6)
- Requires the DOC to spend at least \$238,000 on the therapeutic treatment community program at the Anamosa State Penitentiary and \$140,000 on the Dual Diagnosis Program in the First CBC District Department. (Page 3, Line 32 and Page 9, Line 18)
- Requires the DOC to use at least \$300,000 in canteen receipts for the Corrections Education Program. Requires the DOC to spend at least \$300,000 more for the Corrections Education Program in FY 2009. (Page 6, Line 29)
- Requires the DOC to provide a smoking cessation program, if legislation is enacted restricting or prohibiting smoking on the grounds of correctional institutions. (Page 8, Line 21)
- Permits the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 13, Line 27)
- Permits the Iowa Law Enforcement Academy to annually exchange five vehicles returned to the State Fleet Administrator by the Department of Public Safety. (Page 13, Line 33)
- Adds language requiring the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 16)
- Authorizes an appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2009 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 19, Line 24)
- Permits the Iowa Law Enforcement Academy to charge Academy attendees more than half the cost of

SIGNIFICANT CHANGES TO THE

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CODE OF IOWA

providing the basic training course, subject to Council approval. This change is repealed on June 30, 2009. (Page 19, Line 35)

- Requires the Board of Parole to develop and implement a Certificate of Employability by FY 2010. (Page 20, Line 7 and Page 21, Line 27)
- Creates a Central Warehouse Fund in the DOC and permits other State agencies and local governments to use the DOC Central Warehouse when it is operational. Requires the Department of Human Services to use the DOC Warehouse. (Page 20, Line 14 and Page 21, Line 11)
- Requires the Department of Public Health to develop educational programs to increase awareness and utilization of infection control practices in correctional facilities. (Page 20, Line 22)
- The Governor vetoed Section 21 that required payment of a filing fee for all people seeking post-conviction relief under Chapter 822, Code of Iowa. (Page 20, Line 30)
- This Act was approved by the General Assembly on April 23, 2008, and item vetoed and signed by the Governor on May 9, 2008.

GOVERNOR'S VETO

ENACTMENT DATE